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08/948,530 10/09/97 MILOSLAVSKY

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EXAMINER

VU, H

ART UNIT

PAPER NUMBER

2733

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DATE MAILED:

11/30/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

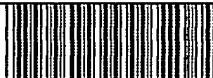
# Office Action Summary

Application No.  
**08/948,530**

Applicant(s)  
**Miloslavsky**

Examiner  
**Huy D. Vu**

Group Art Unit  
**2733**



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-13 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-13 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Claim Objections*

1. Claim 13 is objected to because of the following informalities: in claim 13, line 3, "INPT" should be changed to --IPNT--. Appropriate correction is required.

### *Claim Rejections - 35 U.S.C. § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubler et al. (USP 5,726,984) in view of Chin (USP 5,825,775).

Regarding claims 1 and 5, Kubler teaches a call center (Internet providers 6333 or 6305; figure 63) comprising a first processor (any server/router in Internet providers 6333 or 6305) connected to a wide area network WAN (Internet 6315) and a second processor (Internet provider 6307) also connected to the WAN (Internet 6315). The first processor (any server/router in Internet providers 6333 or 6305) is adapted to receive and distribute Internet telephone calls. Kubler differs from the claim in that Kubler does not explicitly show a plurality of computers having displays and being coupled to the first processor (any server/router in Internet providers 6333 or 6305). However,

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it would be obvious to one skilled in the art that the Internet provider would have more than one computer having display and being coupled to a server/router of the Internet provider so as to enable an operator/administrator to operate/administer the server/router. Kubler further differs from the claim in that Kubler fails to teach that the server/router of the Internet provider is adapted to monitor transactional activity of the call center (Internet provider), to process the activity information and to communicate the processed information to a second processor (server/router) elsewhere in the WAN (the Internet). However, Chin teaches a configuration in which a router/hub (106, 118) monitors, processes (see the storing and maintaining of statistics of communications in the router) and routes activity information to a second processor (network management station 108) (see step 206 in figure 2). This mechanism facilitates and enhances network management by enabling remote network monitoring of routers. Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Chin's above teaching of monitoring, processing and routing activity information to a second processor by a router in Kubler's system with the motivation being to facilitate network management by enabling remote network monitoring of routers.

Regarding claim 2, since TCP/IP is a well-standardized protocol for reliable communications in the Internet which is a wide area network, it would have been obvious to one skilled in the art at the time the invention was made to apply TCP/IP protocol in communicating the activity information from the first processor (router 106 or 108) to the second processor (network management station 108) in WAN 100 with the motivation being to use a well-standardized protocol for reliable communications in the WAN.

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Regarding claim 3, Chin teaches that the first processor (router 106) and a plurality of computers (110, 112 and 114) are connected to a LAN (102). Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Chin's above teaching in Kubler's system so as to connect the computers of the operators at the Internet provider and the router/server to a LAN with the motivation being to enable local connections between the computer and the router and to easily manage the network of local computers and the router/server.

Regarding claim 4, since the Internet provider has customers to whom it provides Internet accesses, it would have been obvious to one skilled in the art at the time the invention was made to have a server for running a database that stores the data (e.g., customers' user IDs, passwords, billing addresses, etc.) associated with the customers with the motivation being to enable managing functions associated with the customers of the Internet provider.

4. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubler (USP 5,726,984) in view of Otto (USP 5,299,259).

Regarding claims 11-12, Kubler teaches an Internet routing server (6333) adapted to route Internet telephony call. Kubler differs from the claims in that Kubler does not teach that the Internet routing server (6333) is adapted to select destinations for routing calls based on stored information about transactions at remote call centers. However, Otto teaches that a call center (call center A) selects a destination for routing calls based on information about transactions at remote call centers (call centers B, C and D) (see figures 1 and 8; col. 8, lines 24-31). Specifically, a call center only

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selects and routes a call to a destination call center if the destination call center does not have too many calls, i.e., not in a congested state. Otto further teaches MIS 15 (database) at the call center for sending and receiving information regarding loads (information about transaction) of the call center to and from other MIS' in other call centers (see col. 5, lines 43-51). This mechanism helps to reduce call congestions at the call centers and improve call processing. Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Otto's teaching of selecting destinations based on information about transactions at remote call centers in Kubler's Internet provider with the motivation being to reduce call congestions at the call centers and improve call processing.

Regarding claim 13, Kubler teaches an Internet routing server (6333) for receiving incoming IPNT calls and routing of IPNT calls. Kubler differs from the claims in that Kubler does not teach that the Internet routing server (6333) is adapted to select destinations for routing calls based on stored information about transactions at remote call centers. However, Otto teaches that a call center (call center A) selects a destination for routing calls based on information about transactions at remote call centers (call centers B, C and D) (see figures 1 and 8; col. 8, lines 24-31). Specifically, a call center only selects and routes a call to a destination call center if the destination call center does not have too many calls, i.e., not in a congested state. Otto further teaches MIS 15 (database) at the call center for collecting, processing and sending information regarding loads (information about transaction) of the call center to other MIS' in other call centers (see col. 5, lines 43-51). This mechanism helps to reduce call congestions at the call centers and improve call processing. Thus, it would have been

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obvious to one skilled in the art at the time the invention was made to apply Otto's teaching of selecting destinations based on information about transactions at remote call centers in Kubler's Internet provider with the motivation being to reduce call congestions at the call centers and improve call processing.

5. Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubler (USP 5,726,984) in view of Otto (USP 5,299,259) and Arango (USP 5,732,078).

Regarding claims 6-7 and 10, Kubler teaches a system comprising an initial call-processing system (6333) adapted for receiving calls from customers over a WAN (PSTN) and including a first processor (any server/router in Internet providers 6333) adapted to route the IPNT call to selected destinations. Kubler's system also includes a second call center (6305) remote from the call processing system (6333). Kubler differs from the claims in that Kubler does not teach a second processor in the second call center that performs the monitoring, processing and communicating of activity information in the second call center to the first processor of the initial call center and that the first processor uses the activity information to select destinations and route the incoming IPNT calls. However, Otto teaches that an initial call center (call center A) which selects a destination for routing calls based on information about transactions at remote call centers (call centers B, C and D) (see figures 1 and 8; col. 8, lines 24-31). Specifically, a call center only selects and routes a call to a destination call center if the destination call center does not have too many calls, i.e., not in a congested state. Otto further teaches that each call center has a processor (15 or 16) for performing

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the monitoring, processing and communicating of activity information in the call center to remote call centers (see col. 5, lines 43-51). This mechanism helps to reduce call congestions at the call centers and improve call processing. Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Otto's teaching of selecting destinations based on activity information at remote call centers in Kubler's Internet provider with the motivation being to reduce call congestions at the call centers and improve call processing. Kubler still differs from the claims in that Kubler does not explicitly teach a processor in the call center (Internet provider 6333) that routes calls to individual ones of computer platforms. However, such structure is taught by Arango. Specifically, Arango teaches an access point/Internet provider (access point d in figure 1 or access point 220 in figure 6) that comprises a processor (access server 4 in figure 1 or access server 222 in figure 6) which routes calls to individual ones of computer platforms (routers 13 & 14 in figure 1 or routers 224 and 226 in figure 6). This structure enables the access point/internet provider to correctly route the calls to proper destinations (figure 1) or to provide guaranteed bandwidth/delivery (figure 6). Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Arango's structure of using a processor (access server) in an access point/Internet provider to route calls to individual ones of computer platforms (routers) in Kubler's Internet provider with the motivation being to enable correct routing of calls and/or to provide guaranteed bandwidth/delivery.

Regarding claim 8, Arango's structure includes a LAN (225) for connecting the processor and the computer platforms.



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Regarding claim 9, since the Internet provider has customers to whom it provides Internet accesses, it would have been obvious to one skilled in the art at the time the invention was made to have a server for running a database that stores the data (e.g., customers' user IDs, passwords, billing addresses, etc.) associated with the customers with the motivation being to enable managing functions associated with the customers of the Internet provider.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 308-5403 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Vu whose telephone number is (703) 308-6602. The examiner can normally be reached on Tuesday - Friday from 8:00 a.m. to 5:30 p.m. The examiner can also be reached on alternate Fridays.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached on (703) 305-4729.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

  
**HUY D. VU**  
**PRIMARY EXAMINER**

November 12, 1998